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07 JUL 14 2014

08 UNITED STATES DISTRICT COURT
09 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 UNITED STATES OF AMERICA,) CASE NO. CR14-197 RAJ
12)
13 Plaintiff,)
14)
15 v.) DETENTION ORDER
16)
17 HECTOR HERNANDEZ-MORENO,)
18)
19 Defendant.)
20)
21)
22)

13 Offenses charged:

14 Count 1 – Conspiracy to Distribute Controlled Substance:

15 Methamphetamine, Heroin and Cocaine

16 Count 2 – Money Laundering

17 Date of Detention Hearing: July 14, 2014.

18 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
19 based upon the factual findings and statement of reasons for detention hereafter set forth,
20 finds that no condition or combination of conditions which defendant can meet will
21 reasonably assure the appearance of defendant as required and the safety of other persons and
22 the community.

01 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

02 (1) Defendant was born in Mexico, and is a citizen of that country. He contends
03 he is pursuing an application to become a U.S. citizen.

04 (2) The United States alleges that his presence in this country is illegal. There is
05 an immigration detainer pending against him. If this court were to order him
06 released on conditions on these charges, he would transfer into immigration
07 custody.

08 (3) The charges carry a mandatory minimum penalty of ten years, and a maximum
09 of life imprisonment. There would therefore be a very substantial incentive for
10 defendant to flee, if he were released, despite his ties to family in this area, and
11 his employment in his father-in-law's auto business.

12 (4) The United States represents it has dozens of intercepted telephone messages
13 during which defendant arranged drug deals in Snohomish County.

14 (5) A law enforcement officer reports finding and seizing at defendant's home a
15 .40 caliber semi-automatic handgun, with a bullet in the chamber, and a box of
16 .40 caliber ammunition. Defendant contests this allegation. The agents also
17 seized \$80,000 in cash from his residence.

18 (6) The nature of the charges creates a rebuttable presumption of detention, both
19 for dangerousness and flight risk. Defendant has not effectively rebutted that
20 presumption.

21 (7) The court concurs in the recommendation of the pretrial Services Office that
22 defendant be detained.

01
02 It is therefore ORDERED:

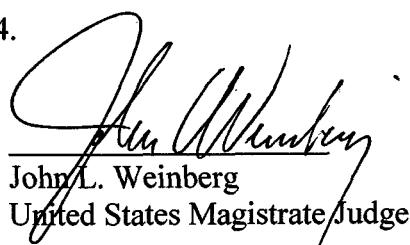
03 1. Defendant shall be detained pending trial and committed to the custody of the
04 Attorney General for confinement in a correction facility separate, to the extent
05 practicable, from persons awaiting or serving sentences or being held in custody
06 pending appeal;

07 2. Defendant shall be afforded reasonable opportunity for private consultation with
08 counsel;

09 3. On order of the United States or on request of an attorney for the Government, the
10 person in charge of the corrections facility in which defendant is confined shall deliver
11 the defendant to a United States Marshal for the purpose of an appearance in
12 connection with a court proceeding; and

13 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
14 for the defendant, to the United States Marshal, and to the United State Pretrial
15 Services Officer.

16 DATED this 14 day of July, 2014.



John L. Weinberg
United States Magistrate Judge